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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,129	01/23/2004	Mohan R. Duggi	2003.08.008.WT0	6104
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DOCKET CLERK P.O. DRAWER 800889 DALLAS, TX 75380			EXAMINER BRANDT, CHRISTOPHER M	
			ART UNIT	PAPER NUMBER
			2617	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/25/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/764,129

Applicant(s)

DUGGI, MOHAN R.

Examiner

Christopher M. Brandt

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 7/17/06 & 9/11/06.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Priority*

Receipt is acknowledged of papers submitted claiming the benefit of U.S. Provisional Application No. 60/497,274 filed on August 22, 2003, which papers have been placed of record in the file.

### *Information Disclosure Statement*

The information disclosure statements submitted on July 17, 2006 and September 11, 2006 have been considered by the Examiner and made of record in the application file.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 1-20** are rejected under 35 USC 103(a) as being unpatentable over **Billhartz (US Patent 7,027,426 B2)** in view of **Lipasti et al. (US PG PUB 2002/0039357 A1)**.

Consider **claim 1**. Billhartz discloses for use in a mobile ad hoc network formed by a plurality of mobile ad hoc network (MANET) nodes (column 2 lines 45-56, read as a method for operating a mobile ad hoc network over a plurality of channels. The network includes a plurality of wireless mobile nodes and a plurality of wireless communication links connecting the plurality of nodes together over the plurality of channels), a first MANET node capable of collecting route information associated with a first route from a source MANET node to a destination MANET node (the method includes, at a source node, sending a route request over each of the plurality of channels to discover routing to a destination node, and selecting a route to the destination node (column 2 lines 57-63, this route is determined by the intermediate nodes (i.e. first node)) on at least one of the plurality of channels. The route request may be sent over each of the plurality of channels sequentially, and the route request preferably includes a source node channel identifier); said first MANET node comprising:

a radio frequency (RF) transceiver capable of wirelessly communicating with other ones of said plurality of MANET nodes according to an ad hoc on-demand vector (AODV) protocol (column 6 lines 14-46, read as each mobile node 30 (including the intermediate nodes) includes a router 40 that has a communications device 42 to wirelessly and bi-directionally communicate with other nodes over multiple channels via the wireless communication links 32. In addition, the described method can be applied to any type of On-Demand or Reactive routing protocol such as Ad-Hoc On-Demand Distance Vector (AODV)); and

a controller capable of receiving incoming data packets from said a radio frequency (RF) transceiver and sending outgoing data packets to said a radio frequency (RF) transceiver (column 6 lines 45-54, read as the controller 44 includes a route discovery unit 50 to transmit route

Art Unit: 2617

requests (inherent that it receives since it is transmitting a request from a source node) RREQ over each of the plurality of channels to discover routing to the destination node D, and a route selection unit 52 to select a route to the destination node on at least one of the plurality of channels), wherein said controller receives a Path Marker Request message generated by said source MANET node and retrieves first route channel identifier data associated with said first route from said first Path Marker Request message (column 5 lines 3-31, read as the source node sends the route request RREQ to intermediate nodes A-C (i.e. first node). If the node can support the particular request RREQ, then the node forwards the route request RREQ to other intermediate nodes (i.e. retrieving route request and making a determination of the data associated with first route), said route first channel identifier data identifying all intermediate MANET nodes in said first route coupling said first MANET node to said source MANET node (column 5 lines 3-18, read as the source node sends the route request RREQ to intermediate nodes A-C).

Billhartz discloses the claimed invention except he fails to explicitly disclose topology (Billhartz discloses a channel identifier).

However, Lipasti et al. (hereinafter Lipasti) disclose topology (paragraph 10, read as routing addresses).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Lipasti into the node of Billhartz in order to reduce the bandwidth-intensive broadcast traffic in the mobile ad hoc networks (paragraph 10).

Consider **claim 11**. Billhartz discloses for use in a mobile ad hoc network formed by a plurality of mobile ad hoc network (MANET) nodes (column 2 lines 45-56, read as a method for operating a mobile ad hoc network over a plurality of channels. The network includes a plurality of wireless mobile nodes and a plurality of wireless communication links connecting the plurality of nodes together over the plurality of channels), a method of collecting route information in a first MANET node, the route information associated with a first route from a source MANET node to a destination MANET node, the method comprising the steps of:

receiving in the first MANET node a Path Marker Request message generated by the source MANET node (column 5 lines 3-31, column 6 lines 45-64, read as the source node sends the route request RREQ to intermediate nodes A-C (i.e. first node); and

retrieving first route channel identifier data associated with the first route from the first Path Marker Request message, the route first channel identifier data identifying all intermediate MANET nodes in the first route coupling the first MANET node to the source MANET node (column 5 lines 3-31, read as the source node sends the route request RREQ to intermediate nodes A-C (i.e. first node). If the node can support the particular request RREQ, then the node forwards the route request RREQ to other intermediate nodes (i.e. retrieving route request and making a determination of the data associated with first route), said route first channel identifier data identifying all intermediate MANET nodes in said first route coupling said first MANET node to said source MANET node (column 5 lines 3-18, read as the source node sends the route request RREQ to intermediate nodes A-C).

Billhartz discloses the claimed invention except he fails to explicitly disclose topology (Billhartz discloses a channel identifier).

However, Lipasti et al. (hereinafter Lipasti) disclose topology (paragraph 10, read as routing addresses).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Lipasti into the method of Billhartz in order to reduce the bandwidth-intensive broadcast traffic in the mobile ad hoc networks (paragraph 10).

Consider **claim 2 and as applied to claim 1**. Billhartz and Lipasti disclose the first MANET node wherein said controller stores said first retrieved route topology data in a route table associated with said controller (Lipasti; paragraph 84, read as Intermediary nodes have to determine the path on the basis of the L2.5 routing address either based on stored paths (routing table) or on dynamically obtained paths).

Consider **claim 3 and as applied to claim 2**. Billhartz and Lipasti disclose the first MANET node wherein said retrieved first route topology data from said first Path Marker Request message comprises an IP address associated with each of said all intermediate nodes in said first route coupling said first MANET node to said source MANET node (Lipasti; paragraph 10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Lipasti into the node of Billhartz in

order to reduce the bandwidth-intensive broadcast traffic in the mobile ad hoc networks (paragraph 10).

Consider **claim 4 and as applied to claim 3**. The combination of Billhartz and Lipasti disclose the first MANET node wherein said controller appends an IP address associated with said first MANET node to said first Path Marker Request message.

Consider **claim 5 and as applied to claim 4**. Billhartz and Lipasti disclose the first MANET node wherein said controller forwards said first Path Marker Request message with said appended IP address to said destination MANET node via a next hop in said first route (Lipasti; paragraphs 10 and 99).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Lipasti into the node of Billhartz so that the route can be determined when the RREQ reaches either the destination itself, or an intermediate node with a fresh enough route to the destination (paragraph 99).

Consider **claim 6 and as applied to claim 5**. The combination of Billhartz and Lipasti disclose the first MANET node wherein said controller receives a first Path Marker Reply message generated by said destination MANET node and retrieves second route topology data associated with said first route from said first Path Marker Reply message, said retrieved second route topology data identifying all intermediate MANET nodes in said first route coupling said first MANET node to said destination MANET node (Billhartz; column 5 lines 3-31, Lipasti; paragraph 10).



Consider **claim 7 and as applied to claim 6**. Billhartz discloses the claimed invention except he fails to explicitly teach the first MANET node wherein said controller stores said second retrieved route topology data in said route table associated with said controller.

However, Lipasti discloses the first MANET node wherein said controller stores said second retrieved route topology data in said route table associated with said controller (paragraphs 84 and 87).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Lipasti into the node of Billhartz in order to determine the mechanism for path establishment (paragraph 87).

Consider **claim 8 and as applied to claim 7**. The combination of Billhartz and Lipasti disclose the first MANET node wherein said retrieved second route topology data from said first Path Marker Reply message comprises an IP address associated with each of said all intermediate nodes in said first route coupling said first MANET node to said destination MANET node.

Consider **claim 9 and as applied to claim 8**. Billhartz and Lipasti disclose the first MANET node wherein said controller appends an IP address associated with said first MANET node to said first Path Marker Reply message (Lipasti; paragraphs 10 and 99)..

Consider **claim 10 and as applied to claim 9**. Billhartz and Lipasti disclose the first MANET node wherein said controller forwards said first Path Marker Reply message with said appended IP address to said source MANET node via a next hop in said first route (Lipasti; paragraphs 10 and 99).

Consider **claim 12 and as applied to claim 11**. Billhartz and Lipasti disclose the method further comprising the step of storing the first retrieved route topology data in a route table in the first MANET node (Lipasti; paragraph 84, read as Intermediary nodes have to determine the path on the basis of the L2.5 routing address either based on stored paths (routing table) or on dynamically obtained paths).

Consider **claim 13 and as applied to claim 12**. Billhartz and Lipasti disclose the method wherein the retrieved first route topology data from the first Path Marker Request message comprises an IP address associated with each of the all intermediate nodes in the first route coupling the first MANET node to the source MANET node (Lipasti; paragraph 10).

Consider **claim 14 and as applied to claim 13**. The combination of Billhartz and Lipasti disclose the method further comprising the step of appending an IP address associated with the first MANET node to the first Path Marker Request message.

Consider **claim 15 and as applied to claim 14**. Billhartz and Lipasti disclose the method further comprising the step of forwarding the first Path Marker Request message with the appended IP address to the destination MANET node via a next hop in the first route (Lipasti; paragraphs 10 and 99).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Lipasti into the method of Billhartz so that the route can be determined when the RREQ reaches either the destination itself, or an intermediate node with a fresh enough route to the destination (paragraph 99).

Consider **claim 16 and as applied to claim 15**. The combination of Billhartz and Lipasti disclose the method further comprising the steps of: receiving a first Path Marker Reply message generated by the destination MANET node; and retrieving second route topology data associated with the first route from the first Path Marker Reply message, the retrieved second route topology data identifying all intermediate MANET nodes in the first route coupling the first MANET node to the destination MANET node (Billhartz; column 5 lines 3-31, Lipasti; paragraph 10).

Consider **claim 17 and as applied to claim 16**. Billhartz discloses the claimed invention except he fails to explicitly teach the method further comprising the step of storing the second retrieved route topology data in the route table.

However, Lipasti discloses the method further comprising the step of storing the second retrieved route topology data in the route table (paragraphs 84 and 87).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Lipasti into the method of Billhartz in order to determine the mechanism for path establishment (paragraph 87).

Consider **claim 18 and as applied to claim 17**. The combination of Billhartz and Lipasti discloses the method wherein the retrieved second route topology data from the first Path Marker Reply message comprises an IP address associated with each of the all intermediate nodes in the first route coupling the first MANET node to the destination MANET node.

Consider **claim 19 and as applied to claim 18**. Billhartz and Lipasti discloses the method further comprising the step of appending an IP address associated with the first MANET node to the first Path Marker Reply message (Lipasti; paragraphs 10 and 99)..

Consider **claim 20 and as applied to claim 19**. Billhartz and Lipasti disclose the method further comprising the step of forwarding the first Path Marker Reply message with the appended IP address to the source MANET node via a next hop in the first route (Lipasti; paragraphs 10 and 99).

***Conclusion***

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Brandt whose telephone number is (571) 270-1098. The examiner can normally be reached on 7:30a.m. to 5p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.



Christopher M. Brandt

C.M.B./cmb

December 27, 2006



NICK CORSARO  
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